



Boards and Commissions Handbook 2011

Boards and Commissions Training Packet

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Joshua J. Cohen, Mayor
City of Annapolis
160 Duke of Gloucester Street
Annapolis, Maryland 21401

August 30, 2010

Dear Board Members and Commissioners:

Boards and commissions are a vital arm of City government. Volunteers like you bring the diverse voices and views of our citizenry into the every day decision making of the city. Our many boards and commissions shape policy, guide the City Council in the writing of new legislation, and lead us to new ideas and initiatives.

Service on a City board or commission bears no monetary reward but carries much responsibility. Local government is the government closest to the people. The decisions you make directly impact our City and may very well affect your own neighborhood and your own colleagues. Sometimes the immediacy of local government poses its challenges, but this immediacy also makes your investment of time that much more rewarding and meaningful.

The three watchwords for my administration are effectiveness, efficiency and transparency. Taxpayers and voters have a right to know that their government is effective in accomplishing what it sets out to do; is efficient in minimizing costs, and is transparent both in terms of the decision making process as well as the efficacy of the outcomes. Your involvement as a board member or commissioner can make a difference in supporting the administration's efforts to make City Hall more effective, efficient and transparent in all that we do.

Please contact Hilary Raftovich, Boards and Commissions Coordinator, at 410-263-7030 or hrraftovich@annapolis.gov if you have any questions or suggestions. Thank you for your dedication and service to Annapolis.

Best regards,

Joshua J. Cohen

- [**Alcoholic Beverage Control Board**](#)
First Wednesday of the month, 7 p.m., City Council Chamber
- [**Annapolis Conservancy Board**](#)
Second Thursday of alternate months, 5:30 p.m., Roger "Pip" Moyer Recreation Center
- [**Annapolis Environmental Commission**](#)
First Wednesday of the month, 7:00 p.m., 145 Gorman Street, Third floor conference room
- [**Art in Public Places Commission**](#)
Fourth Wednesday of the month, 6:30 pm at Maryland Hall
- [**Board of Appeals**](#)
First Tuesday of the month, 7 p.m., City Council Chambers
- [**Building Board of Appeals**](#)
At the Call of the Chair
- [**Board of Supervisors of Elections**](#)
Meets on an "as needed" basis
- [**Civil Service Board**](#)
At the Call of the Chair
- [**Commission on Aging**](#)
Last Thursday of the month, 11:30 a.m., Annapolis Senior Center, Wiley Bates Heritage Park
- [**Education Commission**](#)
First Monday of the month, 5:30 p.m., Rotating Locations
- [**Ethics Commission**](#)
Meets on an "as needed" basis
- [**Financial Advisory Commission**](#)
Second Thursday of the month, 7:30 a.m. 145 Gorman Street 3rd Floor Conference Room
- [**Historic Markers Commission**](#)
Meets on an "as needed" basis.
- [**Historic Preservation Commission**](#)
Regular public hearing second Tuesday of the month. Administrative meeting fourth Thursday of the month, 7:30 p.m., City Council Chambers
- [**Housing and Community Development Committee**](#)
First Monday of month, 7:00 p.m., City Council Chambers
- [**Human Relations Commission**](#)
First Monday of the month, 6:30 p.m., Roger "Pip" Moyer Recreation Center
- [**Maritime Advisory Board**](#)
Third Tuesday of the month, 7 p.m., Roger "Pip" Moyer Recreation Center
- [**Parking Advisory Commission**](#)
Second Tuesday of each month at 7 p.m., 145 Gorman Street, 3rd Floor Conference Room
- [**Planning Commission**](#)
First and Third Thursday of the month, 7:00 p.m., City Council Chambers
- [**Police and Fire Retirement Plan Commission**](#)
Meets on an "as needed" basis
- [**Port Wardens**](#)
Fourth Tuesday of the month, 7:30 p.m., City Council Chambers
- [**Public Safety Disability Retirement Board**](#)
Meets on an "as needed" basis
- [**Recreation Advisory Board**](#)
Second Wednesday of the Month, 7 p.m, Roger "Pip" Moyer Recreation Center
- [**Risk Management Committee**](#)
Meets on an "as needed" basis
- [**Transportation Board**](#)
Third Wednesday of the month, 6 p.m., Roger "Pip" Moyer Recreation Center

Boards and Commissions Appointment Process

Most Boards and Commission members are appointed by the Mayor and confirmed by the City Council. The Boards and Commissions coordinator seeks applicants through a variety of means. There is a monthly vacancy report created (appendix A) and that report is sent first to the Alderman for recommendations. The report is posted on line for public viewing. In an effort to bring new individuals in to the process recent reports have been sent to Ministers and other community leaders to share with their constituencies as well.

The process of appointment is as follows:

1. Applicants are sought by the Boards and Commissions Coordinator.
2. Applicant submits either a resume and letter of interest or fills out the online application (see appendix B).
3. The Boards and Commissions Coordinator reviews the resumes and confirms the candidate's eligibility. The Mayor reviews the applicants and signs an appointment letter for selected applicants.
4. The letter and resume of selected applicants are brought before the applicable committee (see chart on page 8 for committee assignments. The Boards and Commissions Coordinator presents the resume to the committee, at the request of the chair the appointee may be asked to appear before the committee as well.
5. Applicants recommended by the committee are then submitted to the full council for a vote.
6. If approved by a majority vote of the council the new Commissioner or Board member is then sworn in by the Mayor and attends the next scheduled Board or Commission meeting.
7. All resumes of individuals not selected are kept on file for future openings.

Boards and Commissions Procedures

Agendas: All boards and commissions are subject to the state of Maryland public meetings laws (see appendix C). Please notify the Boards and Commissions Coordinator and email an agenda at least 5 business days before any meeting (including special meetings). The Boards and Commissions Coordinator will supply you with an electronic template for your agendas. (Appendix D, this template can be modified to serve as stationary as well)

The Boards and Commissions coordinator will post your agenda online and in City Hall within two business days.

Minutes: Pursuant to Section 2.04.070 of the Annapolis City Code, minutes must be filed with the City Clerk within ten days of the meeting when the board or commission approves the minutes. Please email a copy of the minutes to the Boards and Commissions Coordinator as well so they can be posted on the website.

City Clerk: RCEldridge@annapolis.gov

Boards and Commissions Coordinator: HRRaftovich@annapolis.gov

Annual Report: Pursuant to Section 2.04.080 of the Annapolis City Code, all boards and commissions shall deliver an annual report to the City Council regarding its activities during the preceding year on or before January 15th of each year. The official copy should be sent to the City Clerk for the record. An electronic copy should also be submitted to the Boards and Commissions coordinator for posting online.

Annual Elections and contact information update Once a year, usually at the first meeting of the new fiscal year, each Board or Commission shall elect a Chair and Vice Chair. If the board does not have a staff clerk then a secretary shall also be elected. A membership list with up to date contact information for all members as well as the updated information on the officers should be sent to the City Clerk and the Boards and Commissions Coordinator.

Rules and Bylaws – Each board or commission should consider annually if they would like to adopt rules and bylaws beyond those enumerated in the code. If additional rules or Bylaws are adopted they should be submitted to the City Clerk and the Boards and Commissions Coordinator. Pursuant to 2.04.090 all changes to Rules and Bylaws need to be posted online so changes should be submitted electronically to Hilary Raftovich for posting)

Applicable City Code

2.04.040 - Holding more than one position.

No person shall hold more than one City or City-connected position of any kind at the same time. This restriction applies to all committees, commissions, authorities, agencies or bodies corporate or politic which are in any way connected with the City, whether autonomous, semiautonomous or nonautonomous. This section does not apply to members of the City Council or to a person who is permitted to hold two positions by virtue of another law. Appointments to Mayoral ad hoc committees shall not be considered under this provision in determining the number of positions held by a person.
(Ord. O-23-95 § 1: prior code § 2-3.1)

2.04.050 - Attendance at meetings.

All appointed members of committees, commissions, boards and authorities shall attend their respective meetings on a regular basis. If any member who is entitled to vote is absent for three consecutive meetings or is absent for more than four meetings within one calendar year, the member shall be removed from the committee, commission, board or authority. The City Council may reinstate the member upon appeal if it determines the action appropriate.
(Ord. O-44-98 § 1 (part): prior code § 2-3.2)

2.04.070 - Minutes of proceedings.

Each board, committee and commission established under or pursuant to the Charter or ordinance enacted by the City Council shall keep minutes of all of its proceedings. A copy of the minutes shall be filed with the City Clerk within ten days following the meeting of the board, commission or committee at which the minutes were approved.
(Prior code § 2-3.4)

2.04.080 - Officers—Bylaws—Annual report.

- A. All committees, commissions, boards or authorities shall elect a chair and vice-chair from among its membership, who shall serve for a term of one year.
 - B. The committee, commission, board or authority may adopt bylaws and rules as it deems necessary and desirable for the conduct of its meetings and activities.
 - C. The committee, commission, board or authorities shall prepare and deliver to the City Council an annual report regarding its activities during the preceding year on or before January 15th of each year unless otherwise provided by law. The report shall include the attendance of each member.
- (Ord. O-44-98 § 1 (part))

2.04.090 - Regulations—Adoption and posting on City's website.

- A. For purposes of this section the adoption of a regulation refers to the adoption of either a regulation or rule having the force and effect of law. It includes the amendment or repeal of an existing regulation or rule.
- B. On and after June 1, 2006, a department, board or commission may not adopt a regulation unless:
 - 1. This code expressly authorizes the adoption of such a regulation, and
 - 2. The proposed regulation has been posted on the City's website for at least two weeks for public comment.However, in an emergency, and with the approval of the Mayor, the posting requirement is waived.
- C. By July 1, 2006, all regulations adopted prior to this date, must be posted on the City's website. Moreover, all regulations adopted on or after July 1, 2006, must be posted on the City's website within four weeks following the adoption.

2.60.010 - Policy.

To assure that the continuance of departments, programs, boards, and commissions is necessary to serve the public interest, it is the policy of the City that the agencies and departments of the City shall be subject to procedures and performance review.

(Ord. O-14-91 § 1 (part): prior code § 2-79)

2.60.030 - Performance statement—Content.

Each agency, for itself and its activities and programs, shall file an annual statement of performance standards with the City Clerk no later than January 15th each year. Each statement shall address the following requirements:

- A. The general purpose of the agency, activity or program;
- B. Quantifiable and specific goals and objectives proposed to be met during the ensuing fiscal year;
- C. Long-range goals and objectives proposed to be met during each of the next four ensuing fiscal years;
- D. Annual performance standards which shall form the basis upon which the City Council shall consider whether or not:
 - 1. Goals and objectives have met changing circumstances and priorities, and
 - 2. The goals and objectives require modification to meet changing circumstances and priorities; and
- E. The precise degree of compliance with or adherence to each performance standard established for the preceding fiscal year. Supplementary information shall be submitted only to explain a significant deviation from a performance standard.

(Ord. O-14-91 § 1 (part): prior code § 2-80)

2.60.040 - Performance statement—Review—Agency or program extension.

The City Council shall conduct a public hearing with regard to each performance statement. The City Council shall review and evaluate each statement, making revisions as are deemed advisable. The City Council shall adopt a resolution no later than March 1 approving the performance statement as submitted or with revisions or modifications as are deemed advisable.

(Ord. O-14-91 § 1 (part): prior code § 2-81)



City of Annapolis
Office of the City Clerk
145 Gorman Street, 3rd Fl
Annapolis, MD 21401-2535

RCEldridge@annapolis.gov · 410-263-7942 · Fax 410-280-1853 · TDD 410-263-7943 ·
www.annapolis.gov

Memorandum

To: All Committees, Commissions, Boards or Authorities

From: Regina C. Watkins-Eldridge, MMC
City Clerk

Re: 2.04.080 Officers--Bylaws--Annual report.

A. All committees, commissions, boards or authorities shall elect a chair and vice-chair from among its membership, who shall serve for a term of one year.

B. The committee, commission, board or authority may adopt bylaws and rules as it deems necessary and desirable for the conduct of its meetings and activities.

C. The committee, commission, board or authorities shall prepare and deliver to the City Council an **ANNUAL REPORT** regarding its activities during the preceding year on or before **January 15th of each year** unless otherwise provided by law. The report shall include the attendance of each member. (Ord. O-44-98 § 1 (part))

The Annual Report shall be delivered to the City Clerk's Office.

The Role of the Staff Liaison

1. Know the meaning of the word Liaison:
 - Be the point person for contact with other City officials/staff members on behalf of your Commission.
 - Initiate and follow up on requests, issues needing decisions etc..
 - Bring information back to the Commission.
2. Be familiar with what the City Code says about your Commission, its role and its authority.
3. Attend Meetings, follow the activities of your Commission.
4. Provide support where possible – logistics, meeting space, budget/funding (if you have it).
5. Share other information and resources (training, articles, etc.).
6. Work with the Boards and Commissions Coordinator to ensure that the Commission is staffed and in compliance with its requirements.
7. The Liaison should always be “In the loop” on communication between the Board or Commission and the Staff and Administration. The Liaison and the Chair should always cc each other on important communications to keep each other up to date.
8. The Liaison is responsible for assuring that all notice requirements and other requirements are met by the board (annual reports, minutes, agendas)
9. The Liaison should notify their Board or Commission of legislation and/or policy that will be of interest to their group.

Staff Liaisons, Associated Departments, and Committee Assignments

<u>Board</u>	<u>Staff liason</u>	<u>Department</u>	<u>Committee</u>
<u>Board of Appeals</u>	Jane Holschuh	Planning and Zoning	Economic Matters
<u>Building Board of Appeals</u>	Maria Brown	DNEP	Economic Matters
<u>Historic preservation</u>	Patricia Blick	Planning and Zoning	Economic Matters
<u>Maritime Advisory Board</u>	Frank Biba	DNEP	Economic Matters
<u>Planning Commission</u>	Jane Holschuh	Planning and Zoning	Economic Matters
<u>Plumbing Inspectors Committee</u>	John Quigley	Public Works	Economic Matters
<u>Recreation Advisory Board</u>	LeeAnn Plumer	Recreation and Parks	Economic Matters
<u>Alcoholic Beverage Control Board</u>	Theresa Bucalo	City Clerk	Economic Matters
<u>Annapolis Conservancy Board</u>	steve carr	DNEP	Environmental Matters
<u>Environmental Commision</u>	Jan Van Zutphen	DNEP	Environmental Matters
<u>Port Wardens</u>	Frank Biba	DNEP	Environmental Matters
<u>Commission on Aging</u>	Kirby McKinney	Mayors Office	Housing & Human Welfare
<u>Housing & Community Development</u>	Theresa Wellman	Planning and Zoning	Housing & Human Welfare
<u>Education</u>	Tony Spencer	Mayors Office	Housing & Human Welfare
<u>Parking Advisory Commission</u>	Iain Banks	Transportation	Public Safety
<u>Police and Fire Retirement Plan Commission</u>	Kimla Milburn	Human Resources	Public Safety
<u>Public Safety Disability Retirement Board</u>	Kimla Milburn	Human Resources	Public Safety
<u>Art in Public Places Commission</u>	LeeAnn Plumer	Recreation and Parks	Rules and City Government
<u>Board of Supervisors of Elections</u>	Regina Eldridge	Office of Law	Rules and City Government
<u>Civil Service Board</u>	Kimla Milburn	Human Resources	Rules and City Government
<u>Ethics Commission</u>	City Attorney	Office of Law	Rules and City Government
<u>Human Relations Commission</u>	Paul Rensted	Human Resources	Rules and City Government
<u>Transportation Board</u>	Iain Banks	Transportation	Transportation

The Role of the Chair

Selection - The Chairs of each board or commission are chosen by the membership. The Chair, The Vice Chair (and if needed secretary) Should be nominated and voted on by the full membership of the board. Some boards or commissions have rules relating to election of chairs in their bylaws)


The role of the chair

- Liaison with City's relevant departments and City Council Committees
- Establishing liaison with relevant boards and commissions
- Fostering well managed and effective study, outreach and action for the good of the community
- Identifying and drawing on interests, expertise and perspectives of individual members
- Building leadership, drawing on interests and expertise to:
 - propose establishment of study and action sub-committees; e.g. active solicitation of grants
 - suggest assignment of responsibility to gather relevant information and resources
 - establish links with relevant non governmental organizations and the community at large
- Building environment of open discussion, consensus and cooperation among members
- Encouraging and scheduling participation in relevant training opportunities
- Encouraging and scheduling attendance and links with area meetings, events, activities
- Encouraging and scheduling ongoing relationships and activities with schools and programs for youth and other community groups

Chairs of the Boards and Commissions

- Alcoholic Beverage Control Board – Leonard Berman, Acting Chair
- Annapolis Conservancy Board - James F. Baldwin
- Board of Appeals - Geoffrey Mitchell
- Board of Supervisors of Elections - Michael Parmele
- Building Board of Appeals - Mark Hall
- Civil Service Board - Robert R. Penaloza
- Commission on Aging - James Heggins
- Environmental Commission - Suzanne Pogell
- Ethics Commission - Rex S. Caldwell, III ESQ
- Historic Preservation Commission - Sharon A. Kennedy
- Housing Authority - Carl Snowden
- Housing & Community Development Committee - Kenny Kirby
- Human Relations Commission - Michael J. Keller
- Maritime Advisory Board - Terry H. Lomax
- Parking Advisory Commission - C. Chance Walgran
- Planning Commission - David M. DiQuinzio PE
- Plumbing Inspectors Committee - Randy Jones
- Police & Fire Retirement Plan Commission - Joseph Semo
- Port Wardens - Gene Edwin Godley
- Public Safety Disability Retirement Board - Hamilton Fisk Tyler
- Recreation Advisory Board - C. Taney Hamill
- Transportation Board – Dean Johnson

Web Page Example - Basic




City Departments and Offices

WEDNESDAY, AUGUST 25, 2010

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GOVERNMENT

ALCOHOLIC BEVERAGE
CONTROL BOARD

Agendas

Minutes

Documents

Annual Report

Government > Boards and Commissions > Alcoholic Beverage Control Board

ALCOHOLIC BEVERAGE CONTROL BOARD


About the web page updates or additional postings please contact Hilary Raffovich: boards@annapolis.gov

BOARDS AND COMMISSIONS MEETINGS


VOLUNTEER OPPORTUNITIES

- **COMPOSITION:**
Five residents. Term - three years. Appointed by Mayor, confirmed by Aldermen.
- **CITY CODE:** [7.12.040](#)
- **DUTIES:**
To act on applications regarding alcoholic beverage licenses; to adopt, administer and enforce rules; and to discipline a licensee who violates the rules or other laws.
- **MEETINGS:**
Monthly, 1st Wednesday, 3:00 p.m., Council Chambers
- **LIAISON:**
Theresa Bucalo, Deputy City Clerk, [Office of City Clerk](#), 410-263-7942


MEMBERSHIP	APPOINTED	REAPPOINTED	EXPIRES
Charles M. Grayston, Chair	1/1/1984	6/22/2009	6/30/2012
Elizabeth Finkle	7/8/2002	4/13/2009	6/30/2012
Whitney Chellis	7/26/2010		6/30/2013
Lawrence L. Harris, Jr	4/28/2008		6/30/2011
Leonard Berman, Vice-Chair	6/14/1991	6/22/2009	6/30/2012




RESIDENTS



BUSINESS



GOVERNMENT



VISITORS

CONTACT US

Government of the City of Annapolis

180 Duke of Gloucester

Annapolis, MD, 21401

Contact Info

REPORTS

Proposed FY 2011 Operating Budget

Daily Police Reports

Interactive Crime Map

Financial Reports

Energy Consumption Reports

more...

REQUIRED PLUGINS

Adobe Reader

Adobe Flash Player

Windows Media Player

SITE TERMS


Employees Only

Privacy Policy

Terms of Use

Site Map

Website Example - Complex



View City Departments

MONDAY, AUGUST 08, 2010

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GOVERNMENT

ART IN PUBLIC PLACES COMMISSION

Mailing List

Annual Reports

Meetings With The Commission

Funding Guidelines


Government > Boards and Commissions > Art in Public Places Commission

ART IN PUBLIC PLACES COMMISSION

About the web page updates or additional postings please contact Hilary Raffovich: boards@annapolis.gov

BOARDS AND COMMISSIONS MEETINGS

VOLUNTEER OPPORTUNITIES



ART
THE PUBLIC PLACES COMMISSION
CITY OF ANNAPOLIS

- COMPOSITION:**
Nine residents of the city; one from each ward and one appointed at large. Term - three years. Appointed by Mayor, confirmed by Aldermen.
- CITY CODE:** [6.24](#)
- DUTIES:**
To adopt guidelines and procedures which identify suitable art objects for city property, and to facilitate the preservation of art objects and artifacts that may be displayed in public places. To prescribe a method for the competitive selection, acquisition and display of art, and for the presentation of performing arts, in public places. To establish other matters appropriate to the administration of the placement of art or the promotion of the performing arts in public places.
- MEETINGS:**
3rd Monday of the month, 5:30 pm, Maryland Hall
- LIAISON:**
[Department of Recreation and Parks](#) LeeAnn Plumer, 410-263-7958, laplumer@annapolis.gov

MEMBERSHIP	APPOINTED	REAPPOINTED	EXPIRES
Anne Palumbo, Ph.D	7/31/2008		6/30/2011
At Large- Vacancy			
Leslie A. Edinberg, Chair	9/14/2009		7/30/2012
McShane Glover	6/26/2006	7/1/2009	6/30/2012
Siena Scott	7/31/2008		6/30/2011
Terry Averill	6/19/2006		6/30/2010
Tom Fridrich, Vice Chair	5/8/2006	7/1/2009	6/30/2012
Vacancy			
Vacancy			

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Communication guidance for boards and commissions

Phill McGowan, Public Information Officer

You are a special representative of the City

You are not a City employee or an elected official, but you play an important role in City government. As a function of your responsibilities, you will support the City's position or take a contrary view. No matter the circumstance, I am happy to work with you on establishing messaging and promoting outreach. One bit of advice: Don't discuss pre-deliberative matters publicly.

Please send me your questions. My contact info: work phone: 410-263-1183; cell phone: 443-433-8920; e-mail: pmcgowan@annapolis.gov.

Some communication among boards and commissions is privileged; most is not

Pertaining to your official capacity as a City board or commission member, please work with MIT to establish suitable electronic solutions for creating, editing, storing and sharing document. Talk to your staff liaison and the Office of Law about how you should label confidential e-mails and other documents

The bottom line: The MPIA applies to boards and commissions; your memos, e-mails and other documents are fair game for public disclosure absent a special exception.

Familiarize yourself with MPIA: <http://www.oag.state.md.us/opengov/pia.htm>

Refrain from entering the Web/social media sphere on your own

Public Information, the Office of Law and MIT are devising a social media policy for the City. Until such time that the policy is finalized, do not create social networking groups that represent your board or commission or the City at large. Also, do not create independent websites; it is important to work with your staff liaison and MIT to publish Web content.

Legal Issues

1. **Ethics and Recusal.** Familiarize yourself with the City of Annapolis Ethics Code.
 - a. Each board and commission member must consider ethical obligations in participating in any proceeding. The entire Annapolis City Code is available for free at Municode.com. The Ethics Provisions appear at Annapolis Code Section 2.08.
 - b. As stated in the Code, the ethics policy of the City, is that:
 - i. “Elected and appointed officials and employees shall not engage in any business or transaction or have a financial interest, direct or indirect, which is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of official duties.”
 - ii. “Designated elected and appointed officials and employees, and candidates for public office, shall disclose fully their financial interests in order to ensure that the interests present no conflict with their public duties.”
 - iii. “Elected and appointed officials or employees shall not engage in any activity or participate in any transaction which would create, or tend to create, a conflict of interest in the exercise of their public or official duties.”
 - iv. “Individuals, firms or organizations of any type which seek to influence elected or appointed officials, agencies or employees in the performance of their official duties have an obligation to register with the City as lobbyists and to disclose fully certain information as to their activities as lobbyists in order that the general public may be assured that no conduct resulting in a conflict of interest or interfering with the proper discharge of official duties has occurred.”
 - c. If a matter before your board or commission relates to any business or transaction in which you have a financial interest, direct or indirect, you should disclose that interest and, generally, you should recuse yourself. Recusal means that you refrain from debate and discussion as well as voting.
 - d. There are exceptions, and in select cases a waiver may be available. If you are unsure about how to proceed, you may consult the Office of Law or seek a formal written advisory opinion from the Ethics Commission.
 - e. Specific prohibitions appear at Section [2.08.040](#) of the Code. By way of example only, conflicts of interest include:
 - i. Participating on behalf of the City in any matter which would have a **direct financial impact**, as distinguished from the public generally, on the employee, official or appointee,

the employee's, official's or appointee's spouse or independent child, or **a business entity with which the employee, official or appointee is affiliated;**

- ii. **Holding or acquiring an interest** of fifty percent or more **in a business entity that has or is negotiating a contract of one thousand dollars or more with the City**, or is regulated by the employee's, official's or appointee's agency, except as may be exempted by the commission where the interest is disclosed pursuant to the provisions of this chapter;
- iii. **Use of confidential information acquired in his official position with the City for his own benefit or the benefit of another person;**
- iv. **Intentional use of the prestige of his office for his own private gain or the private gain of another person.** The performance of usual and customary constituent services, without additional compensation, does not constitute the use of the prestige of office, within the meaning of this subsection.
- v. While being employed by a business entity that has or is negotiating a contract of more than one thousand dollars with the City, or is regulated by the employee's, official's or appointee's agency, is normally to be construed as a conflict of interest through the framework of this chapter, the elected or appointed official may either be exempted by the commission pursuant to the provisions of this chapter, or otherwise refrain from participating in any decision-making matter or process between the City and the business entity;
- vi. **Representing any party, for a contingent fee, before any department, agency or decision-making body of the City;**
- vii. Acting as a compensated representative of any other person, firm or organization, within one year following termination of City employment or service, in connection with any specific matter pending before the City in which the person participated substantially as a City official or employee;
- viii. **Soliciting any gift, or accepting any gift which would tend to impair the impartiality and independence of judgment of the person receiving it, or would give the appearance of doing so**, or the recipient believes or has reason to believe that it is designed to do so, with the following exceptions:
 - 1. Meals and beverages,
 - 2. Ceremonial gifts or awards which have insignificant monetary value,
 - 3. Gifts of nominal value or trivial items of informational value,
 - 4. Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official and spouse or the employee and spouse for a meeting which is given in return for participation in a panel or speaking engagement at the meeting,
 - 5. Gifts of tickets or free admission to attend professional or intercollegiate sporting events or charitable, cultural or political events, if the purpose of the gift or admission is a courtesy,

6. A specific gift or class of gifts which the City Council, by resolution, exempts from the operation of this subsection upon a finding, in writing, that the acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the City and that the gift is purely personal and private in nature,
7. Gifts from a person related by blood or marriage, or a member of his household, Honoraria, or Gifts which would not present a conflict of interest as determined by the Ethics Commission;

2. **Code Requirements Applicable to Your Board or Commission** . Familiarize yourself with the sections of the City of Annapolis Code that are specific to your board or commission. In addition, be sure to review Section 2.04 on General Administrative Regulations. For your convenience, selected provisions include the following:

- a. **2.04.040 - Holding more than one position.** No person shall hold more than one City or City-connected position of any kind at the same time.
 - i. This restriction applies to all committees, commissions, authorities, agencies or bodies corporate or politic which are in any way connected with the City, whether autonomous, semiautonomous or nonautonomous.
 - ii. This section does not apply to members of the City Council or to a person who is permitted to hold two positions by virtue of another law.
 - iii. Appointments to Mayoral ad hoc committees shall not be considered under this provision in determining the number of positions held by a person.
- b. **2.04.050 - Attendance at meetings.** All appointed members of committees, commissions, boards and authorities shall attend their respective meetings on a regular basis.
 - i. If any member who is entitled to vote is absent for three consecutive meetings or is absent for more than four meetings within one calendar year, the member shall be removed from the committee, commission, board or authority.
 - ii. The City Council may reinstate the member upon appeal if it determines the action appropriate.
- c. **2.04.070 - Minutes of proceedings.** Each board, committee and commission established under or pursuant to the Charter or ordinance enacted by the City Council shall keep minutes of all of its proceedings. A copy of the minutes shall be filed with the City Clerk within ten days following the meeting of the board, commission or committee at which the minutes were approved.
- d. **2.04.080 - Officers—Bylaws—Annual report.**
 - i. All committees, commissions, boards or authorities shall elect a chair and vice-chair from among its membership, who shall serve for a term of one year.

- ii. The committee, commission, board or authority may adopt bylaws and rules as it deems necessary and desirable for the conduct of its meetings and activities.
- iii. The committee, commission, board or authorities shall prepare and deliver to the City Council an annual report regarding its activities during the preceding year on or before January 15th of each year unless otherwise provided by law.
- iv. The report shall include the attendance of each member.

e. 2.04.090 - Regulations—Adoption and posting on City's website.

- i. For purposes of this section the adoption of a regulation refers to the adoption of either a regulation or rule having the force and effect of law. It includes the amendment or repeal of an existing regulation or rule.
- ii. On and after June 1, 2006, a department, board or commission may not adopt a regulation unless:
 - 1. This code expressly authorizes the adoption of such a regulation, and
 - 2. The proposed regulation has been posted on the City's website for at least two weeks for public comment. However, in an emergency, and with the approval of the Mayor, the posting requirement is waived.
- iii. By July 1, 2006, all regulations adopted prior to this date, must be posted on the City's website. Moreover, all regulations adopted on or after July 1, 2006, must be posted on the City's website within four weeks following the adoption.

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3. Prohibition on Ex Parte Communications and Premature Deliberations

a. Ex Parte Communications

- i. As a general rule, if your board or commission sits in a “quasi-judicial” capacity, the members of the board or commission should not communicate with any of the parties (or outside third parties) about the subject of the proceeding on an “ex parte basis,” which means outside of the formal hearing context and/or where both parties are present.
- ii. If you become aware of ex parte communications, please alert the chairperson and/or staff liaison.

b. Premature Deliberations

As a general rule, if your board or commission sits in a “quasi-judicial” capacity, the members should follow the following rules:

- i. No discussions (whether by phone, email, or in person) of the merits of an application or other matter at issue before the commencement of a proceeding with other board or commission members;

- ii. No deliberations of an application or other matter at issue unless in the presence of all board and commission members;
- iii. No unannounced or unscheduled board or commission meetings;
- iv. No closed board of commission meetings unless permitted by law;
- v. No ex parte communications with an applicant before the board or commission or anyone else participating in a proceeding before the board or commission.

4. Rules, Regulations, Bylaws and Policies

If your board or commission has adopted rules, regulations, by-laws and/or policies, please sure to familiarize yourself with them. If you are unclear about whether a particular matter has been address or whether such documents exist now or should be created in the future, please work with the Boards and Commissions Coordinator, your Staff Liaison, and the Office of Law to resolve your question(s).

5. Legal Impact of Your Decisions

If your board or commissions renders decisions subject to review by the Anne Arundel County Circuit Court or any other tribunal, please consult with the Office of Law for specific guidance tailored to the law that governs your decision-making.

Appendix A - Sample Vacancy Report

Boards and Commissions Vacancy Report **August 1, 2010**

2 Vacancies on the Art in Public Places Commission

Requirements: Members must be city residents and preference goes to those in currently unrepresented wards (in this case wards 3 and 5)

The Chair is seeking applicants with administrative skills and/or web experience. This board would also greatly benefit from an individual with grant writing experience.

“There is established a fund for the purpose of collecting and retaining funds from public and private sources for the display of art in public places in the City of Annapolis, for the production of performing arts and for the advancement of works of art in general to be known as the arts fund. Subject to the appropriation of funds by the City Council, said fund may be credited with one-tenth of one percent of the general fund revenues and all funds received by the City for the arts, including visual art in public places, the performing arts and works of art, whether contributed, earned, secured through grants or otherwise obtained. Monies credited to such account shall be expended for acquisition of works of art, maintenance and repair of works of art, production of the performing arts, support of works of art and expenses of administration of this chapter.”

2 Vacancies on the Transportation Board

Requirements: This member must be a resident of Ward 4, 6 or 7

We are seeking applicants that will represent bus riders, individuals with disabilities, seniors, environmental concerns, and the transportation needs of Annapolis citizenry. We are seeking applicants with a background in and/or expertise in transportation and transportation planning.

“There is created a Transportation Board. The duties of the Board are: to provide informed analysis of the facts relating to transportation matters affecting the City and all transportation matters pending before the City Council or before any City agency, board or commission; to recommend to the Mayor and aldermen, a comprehensive transportation master plan for the City; to provide oversight, guidance, and expertise in the planning of comprehensive traffic, and transit policies.”

1 Vacancy on the Annapolis Environmental Commission

Requirements: Each member must be a city resident. Each member shall have demonstrated an interest in protection and improvement of the environment.

The commission shall be concerned with the protection and improvement of and the noise in the City and environs, and the recycling or the reuse of solid wastes. The environmental quality of the City and environs. It shall study the pollution of the land, air and waters. The commission shall make recommendations, to the City Council and others, as outlined in Section 2.48.330(H), determining the source of these problems, collecting information about solutions to these problems, educating the public (and individuals or organizations who are the source of particular problems) concerning their relations to the problems and their relation to the solutions.

3 Vacancies on the Human Relations Commission

Requirements: Residents of the City, who have demonstrated an interest and have acquired experience in matters relating to human relations concerns in the City.

The Board is especially seeking a person with disabilities and a Latino representative.

The duties include: to accept complaints relating to discrimination, to survey practices and conditions in the areas of public accommodation, employment, housing, recreation, employment, and education. To make recommendations concerning legislation, to advise and counsel business entities, and to mediate disagreements.

1 Vacancy on the Housing Authority of the City of Annapolis

Requirements: Seeking an individual who have the time to participate in the governance of the Housing Authority for the City of Annapolis. Individual requirements are the attendance of monthly and Special Call meetings. Individual should be committed to the concept of affordable housing and it would be helpful if they were knowledgeable regarding the City of Annapolis 10 Year Comprehensive Housing Plan.

The Mayoral appointment is for five years and must be confirmed by the City Council. The appointee must file an annual financial disclosure form with the City's Ethics Commission. Candidates with law, finance, public safety or other professional skills are desired.

1 Vacancy on the Civil Service Board

Requirements: Resident of the City of Annapolis.

The duties include: the classification and establishment of minimum qualifications for all civil service positions; making recommendations to the City Council as provided in this chapter; recommendations to the appointing authorities and City Council designed to promote the morale and training of the civil service employees; hearing and deciding all appeals from civil service employees as provided by Chapter 3.16 of this Code, intolerable working conditions and other such areas as enumerated in the civil service rules.

1 Vacancy on Housing and Community Development Committee

Requirements: Residence in the City of Annapolis and an interest in housing and community development.

The board is seeking someone with experience in and knowledge of housing and community development.

The duties include: the planning and implementation housing and community development projects, exercising all of the powers and functions of redevelopment and urban renewal, managing and improving the housing stock, and to coordinate federal, state and private resources toward development activities in the City and other duties as assigned.

2 Vacancies on the Recreation Advisory Board

Requirements: Must be a city resident with a demonstrated interest in the activities and programs of the Department of Recreation and Parks.

The duties of this board are to act in an advisory capacity to the Department and to make recommendations concerning the Departments budget, activities, programs, facilities and public relations.

1 Vacancy on the Parking Advisory Commission

Requirements: Must be a resident or Business owner/manager in Annapolis

The duties of this board are to Review existing principles, policies, laws and regulations relating to parking; Recommend revision of principles, policies, laws and regulations relating to parking; Monitor administration and enforcement of parking law and regulations; Recommend measures to improve administration and enforcement; Study and recommend on the advisability of consolidating all parking-related functions in a single department of parking or in the alternative, of transportation and parking;

2 Vacancies on the Commission on Aging

Requirements: Residents of the City of Annapolis who have demonstrated a sincere interest in the problems of the aging and their amelioration

The purpose of the commission is to provide advice regarding problems of aging and to conduct and participate in Federal, State or other conferences, surveys and studies concerning the problems of the aging as it may determine, and, in addition, to promote in every manner possible the general welfare and betterment of the aging persons of the City.